In the High Court of Punjab and Haryana, Chandigarh

C.W.P. No. 15604 of 2006

Date of Decision: September 28, 2006

Ved Pal Hooda

…Petitioner

Versus

State of Haryana and others

…Respondents

CORAM: HON'BLE MR. JUSTICE M.M. KUMAR
HON'BLE MR. JUSTICE M.M.S. BEDI

PRESENT: Mr. Ravi Verma, Advocate,
for the petitioner.

JUDGMENT

M.M. KUMAR, J. (Oral)

This petition filed under Article 226 of the Constitution prays for quashing order dated 31.8.2006 (P-6) passed by respondent No. 2, whereby the petitioner has been transferred from Government Senior Secondary School, Ballabgarh (Faridabad) to Government Senior Secondary School, Aun (Bhiwani) vice respondent No. 3, as the same is in violation of the rationalization/transfer policies, dated 20.3.1977 and 20/21.3.1991 (P-2 and P-3), inasmuch as, the petitioner is a N.C.C. Officer and no N.C.C. activity is being carried out at the transferred place of posting of the petitioner. A further prayer has been made to direct the respondents to re-transfer the petitioner at

Government Senior Secondary School, Ballabgarh (Faridabad). It has also been mentioned that the case of the petitioner is also covered under the couple case. It is appropriate to mention here that the petitioner has already represented to respondent No. 2 by sending representation dated 4.9.2006 (P-7). The Administrative Officer, 5th Haryana Bn. N.C.C., Mahavirpura, Gurgaon, has also written a letter dated 6.9.2006 (P-8) to respondent No. 2 for cancellation of the transfer of the petitioner.

In view of the above, without going into the merits of the case, we deem it just and appropriate to direct respondent No. 2 to take cognizance of the representation dated 4.9.2006 (P-7) and the letter dated 6.9.2006 (P-8), written by the Administrative Officer, 5th Haryana Bn. N.C.C., and decide the same expeditiously preferably within a period of four weeks from the date a certified copy of this order is presented. It shall be appreciated if a speaking order is passed.

Petition stands disposed of in the above terms.

(M.M. KUMAR)
JUDGE

(M.M.S. BEDI)
JUDGE

September 28, 2006
Pkapoor